

### Remarks

The Applicant acknowledges the indication that claim 4 would be allowable if rewritten in independent form including the limitations of the base claims and any intervening claims. The Applicant has thus placed claim 4 in independent form and changed the dependency of claims 5 and 8 to depend from claim 4. The Applicant has also added new claims 28 - 33 which depend from claim 4. The Applicant submits that these claims are in condition for allowance.

The Examiner points out that he has received the Information Disclosure Statement but indicates that the foreign references were lost. Applicant's postcard indicates that the foreign references were received in the mail room along with the US references on September 16, 2002. The Applicant believes that the foreign references were intermingled with the US references? The Applicant respectfully requests the Examiner to consider the US references (there was no reason given for not considering them) and to confirm that the foreign references are intermingled with the US references in the order listed on the 1449 forms submitted with the IDS. Otherwise, the Applicant does not understand how the references were separated and only a portion lost.

The Examiner's prior art-based rejections rely on the teachings of Sankey 6,065,594. The Applicant respectfully traverses there rejections. Independent claims 1 and 13 each recite that the bridge is movable downward. The '594 prior art reference only has an arm that moves down. The bridge from which the arm projects does not move down. Further, claim 13 recites that there are two arms spaced from and disposed on opposite sides of a push button. The '594 reference does not have a pair of arm spaced from a push button. The '594 reference uses one of its arms as the push button. Claim 13 specifically recites a different structure wherein the arms are spaced from the push button. The Applicant thus submits that claims 1 and 13 recite structure not found or suggested by the '594

reference. The Application thus respectfully requests the rejections to be withdrawn.

In view of the foregoing, the Applicant respectfully requests reconsideration of the claims and most earnestly solicits the issuance of a formal notice of allowance for the claims. If any issues remain after this amendment, the undersigned attorney would welcome a telephone call.

Respectfully submitted at Canton, Ohio this 14<sup>th</sup> day of April, 2003.

SAND & SEBOLT



By: Fred H. Zollinger, III

Reg. No. 39,438

Aegis Tower  
4940 Munson Street NW, Suite 1100  
Canton, Ohio 44718  
Telephone: (330) 244-1174  
Facsimile: (330) 244-1173  
Attorney Docket: 1795-BI

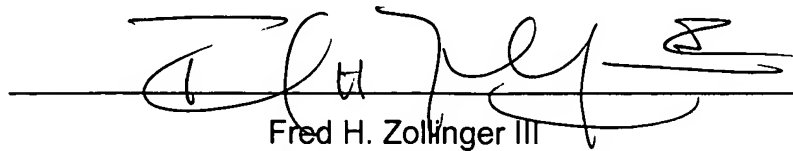
**CERTIFICATE OF MAILING**

I hereby certify that this correspondence (Amendment A in application serial no. 10/081,332 filed February 20, 2002) is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Assistant Commissioner for Patents,

Washington, DC 20231, on

this 14<sup>th</sup> day of April, 2003.



Fred H. Zollinger III

## Version of Amendments with Markings

1. (Once amended) A storage container for holding an item of recorded media having a central opening; the storage container comprising:
  - at least a bottom wall defining an opening;
  - a retaining device connected to the bottom wall;
  - the retaining device including a bridge having first and second ends;
  - the bridge spanning the opening defined by the bottom wall with the first and second ends of the bridge disposed on opposite sides of the opening defined by the bottom wall;
  - at least [one] a first arm disposed on the bridge; the first arm being adapted to engage the item of recorded media;
  - a push button disposed on the bridge; the push button being spaced from the arm; and
  - the bridge [being adapted to be pressed] movable downwardly toward the opening defined by the bottom wall to release the arm from the item of recorded media.
  
4. (Once amended) [The storage container of claim 2, wherein] A storage container for holding an item of recorded media having a central opening; the storage container comprising:
  - at least a bottom wall defining an opening;
  - a retaining device connected to the bottom wall;
  - the retaining device including a bridge having first and second ends;
  - the bridge spanning the opening defined by the bottom wall with the first and second ends of the bridge disposed on opposite sides of the opening defined by the bottom wall;
  - at least a first arm disposed on the bridge; the first arm being adapted to engage the item of recorded media;
  - a push button disposed on the bridge; the push button being spaced from the first arm;

the bridge being adapted to be pressed downwardly toward the opening defined by the bottom wall to release the arm from the item of recorded media;

the first and second ends of the bridge being parallel with the bottom wall; and

the first and second ends of the bridge [have] having edges and end portions; the edges of the first and second ends of the retaining device being spaced from the bottom wall by slots.

5. (Once amended) The storage container of claim [1] 4, wherein [two spaced arms are] a second arm is connected to the bridge; each of the arms being adapted to engage the item of recorded media.

8. (Once amended) The storage container of claim [1] 4, further comprising a fixed support disposed adjacent the bridge.

13. (Once amended) A storage container for holding an item of recorded media having a central opening; the storage container comprising:

a bottom wall;

a retaining device connected to the bottom wall;

the retaining device including a bridge having first and second ends;

the bridge having a raised portion intermediate the first and second ends of the bridge;

a pair of spaced arms connected to the raised portion of the bridge; each of the arms adapted to be disposed in the central opening of the item of recorded media;

a push button connected the bridge; the push button being spaced from and intermediate the arms; and

the bridge [being adapted to be pressed] moveable downwardly toward the bottom wall to move the arms toward each other.